

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

RODERIC BOLING,

Plaintiff,

v.

Case No. 6:21-cv-129-WWB-LRH

CITY OF LONGWOOD, LONGWOOD  
POLICE DEPARTMENT, MASON  
ROTHENBURG, B. RACINE,  
KRISTOPHER BURNAM, SHEA  
LIEUTENANT, DAVID DOWDA,  
OFFICE OF THE STATE ATTORNEY  
SEMINOLE COUNTY, MARCUS  
HYATT, RICHARD FARMER and  
JAMES CARTER,

Defendants.

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**ORDER**

THIS CAUSE is before the Court on State Attorney Defendants' Motion to Dismiss Plaintiff's Complaint With Prejudice ("**State Attorney's Motion**," Doc. 16), Defendants City of Longwood, Longwood Police Department, and David Dowda's Motion to Dismiss ("**City's Motion**," Doc. 22), and Defendants Mason Rothenburg, B. Racine, Kristopher Burnam, and Shea Lieutenant's Motion to Dismiss ("**Officers' Motion**," Doc. 23). United States Magistrate Judge Leslie Hoffman Price issued a Report and Recommendation (Doc. 32). Therein, Magistrate Judge Hoffman Price recommends that the State Attorney's Motion be granted, the City's Motion be granted in part and denied in part, and the Officer's Motion be granted in part and denied in part. (*Id.* at 48–49).

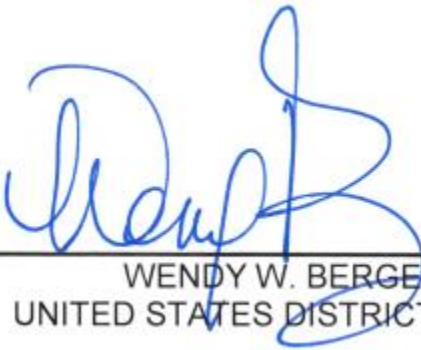
After an independent de novo review of the record, and noting that no objections were timely filed, the Court agrees entirely with the analysis set forth in the Report and Recommendation.

In accordance with the foregoing, it is **ORDERED** and **ADJUDGED** as follows:

1. The Report and Recommendation (Doc. 32) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The State Attorney's Motion (Doc. 16) is **GRANTED**.
3. The City's Motion (Doc. 22) is **GRANTED in part** as set forth in this Order and the Report and Recommendation and **DENIED** in all other respects.
4. The Officer's Motion (Doc. 23) is **GRANTED in part** as set forth in this Order and the Report and Recommendation and **DENIED** in all other respects.
5. The claims against the Office of the State Attorney Seminole County, Richard Farmer, James Carter, and the Longwood Police Department are **DISMISSED with prejudice**.
6. The official capacity claims against Mason Rothenberg, B. Racine, Kristopher Burnam, Shea Lieutenant, and David Dowda are **DISMISSED with prejudice**.
7. The unlawful detention and false imprisonment claim against each Defendant is **DISMISSED with prejudice**.
8. Plaintiff may file an amended complaint addressing the issues set forth in the Report and Recommendation on or before **March 28, 2022**. Failure to timely do so may result in the dismissal of this case without further notice.

9. The Clerk is directed to terminate the Office of the State Attorney Seminole County, Richard Farmer, James Carter, and the Longwood Police Department as defendants in this matter and amend the case style accordingly.

**DONE AND ORDERED** in Orlando, Florida on March 7, 2022.



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WENDY W. BERGER  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record  
Unrepresented Party